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TO RUEHC/SECSTATE WASHDC 9149
INFO RUEHCV/AMEMBASSY CARACAS 9343
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E.O. 12958: N/A
TAGS: [PHUM](#) [PGOV](#) [KJUS](#) [CO](#)
SUBJECT: THREE AIR FORCE OFFICERS SENTENCED FOR SANTO
DOMINGO KILLINGS

REF: A. A) BOGOTA 6789
[1](#)B. B) BOGOTA 6382

[1](#)1. The 12th Circuit Penal Court in Bogota sentenced two pilots and a technician to six years under house arrest on manslaughter charges stemming from the accidental bombing of a community in Tame (Arauca), which killed 17 people during an operation against the FARC on December 13, 1998. Captain Cesar Romero Pradilla, Pilot Hector Mario Hernandez and Lieutenant Johan Jimenez Valencia were all ordered under house arrest after the judge ruled the act was a military error, not an intentional crime. The judge gave the sentencing after ruling the three were not a threat to society. The convicted have the right to appeal, but have not yet announced intentions to do so.

[1](#)2. Additional charges for obstruction of justice, fraud and perjury will likely also be filed against Air Force Major Garzon, the senior pilot involved in the operation. According to Giovanni Alvarez, the senior prosecutor on the case and deputy director of the Human Rights Unit in the Prosecutor General's Office, Major Garzon attempted to pressure the accused and witnesses to alter their testimony and fueled the Air Force's original claim that the attack was a FARC-planted car bomb. The Air Force used this explanation to try to resume funding to CACOM-1, the airbase in Santo Domingo, after USG assistance was suspended pending investigation of the killings.

[1](#)3. This sentencing is the most recent of a series of recent convictions against the military to resolve major human rights cases raised by Post. On September 15, the Supreme Court sentenced an officer to 40 years for the crime of omission in the La Gabarra massacre of 1999 (reftel A). On August 28, a Bogota court found three soldiers and one civilian guilty of the murder of three union leaders executed in Arauca in 2004 (reftel B). Additionally, four soldiers were convicted to 12-20 years on September 18 for murdering Jose Valencia Morales in Marinilla (Antioquia Department) in 2004 and dressing him as an enemy combatant.
Brownfield